

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff

v.

TWENTY-ONE ITEMS VALUED AT
\$24,663.12, et al.,

Defendants

CIVIL NO. 97-1377 (JP)

O R D E R

The Court has before it 1) **docket No. 70** which is a letter from pro-se Claimant Alfonso Cardona Arredondo ("Cardona") for a final Order disposing of the matter of accrued interest and all pending matters before this Court, and 2) **docket No. 72** which is the Motion for a Final Disposition of Pending Matters. The Court now address these dockets so as to fully dispose of this matter.

A brief procedural history of this case is now in order. This case was filed on March 14, 1997 by the United States of America as an action for forfeiture in rem. The United States had filed this action against seized property alleging that it constituted proceeds traceable to the exchange of controlled substances in which Cardona participated, and that the property was used to facilitate drug transactions. On June 6, 1997, the Court determined that the case was time-barred and dismissed the same. Cardona subsequently moved

2

(15)
9/28/01

CIVIL NO. 97-1377 (JP)

2

for the return of the seized property and for the imposition of pre-judgment and post-judgment interest on the property. The Court granted Cardona's request for return of the value of the seized property which belonged to him, but denied the imposition of interest on the value of the property. By Order dated March 25, 1998, the Court denied Cardona's Motion for Reconsideration so as to impose pre-judgment and post judgment interest (docket No. 35). On April 15, 1998, this Court ordered the Clerk of Court to disburse the total sum of \$32,390.00¹ to Cardona pursuant to the February 23, 1998 Order.

On May 27, 1998, Cardona filed a Notice of Appeal of this Court's denial of interest. On March 4, 1999, the First Circuit vacated the March 25, 1998 Order and remanded the case to the undersigned for further proceedings, finding that the Government conceded on appeal that case law does not bar the imposition of interest. On October 27, 1999, Cardona moved for this Court to impose sanctions against Plaintiff United States of America to compensate him for what he claims are unnecessary expenses incurred due to Plaintiff's bad faith (**docket No. 56**). On April 20, 2000, this Court determined that Cardona was not entitled to recover interest. After considering the further submissions of the parties, the Court is still of the opinion that the instant case does not present a scenario whereby the imposition of interest is warranted. Accordingly, the Court hereby reaffirms its April 20, 2000 Order denying interest. Further, the Court will not impose sanctions

¹This sum represents the value of both accounted and unaccounted for seized property.

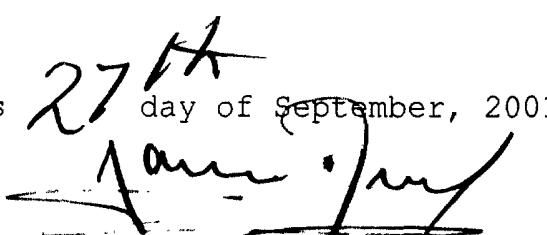
CIVIL NO. 97-1377 (JP)

3

because they are not warranted. Therefore, **docket No. 56** is also **DENIED**. Finally, as a check for the sum of \$32,390.00 was made to the order of Claimant Cardona on March 31, 1998, all pending issues in this case are now closed and this Judgment is final and appealable.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 27th day of September, 2001.



JAIME PIERAS, JR.
U.S. SENIOR DISTRICT JUDGE